

**SECTION 22. INCINERATOR EMISSIONS**

The following categories of waste burning combustion units shall be regulated by this Section:

- (A) Small municipal waste combustion units for which construction is commenced after August 30, 1999 or for which modification or reconstruction is commenced after June 6, 2001 (40 CFR Part 60 Subpart AAAA). This standard applies to municipal waste combustion units that meet two criteria:
  - (1) The unit is new as defined at Section 60.1015, Subpart AAAA.
  - (2) The unit has the capacity to combust at least 35 tons per day but no more than 250 tons per day of municipal solid waste or refuse-derived fuel. There are units that are exempt from the requirements of this subpart. Section 60.1020(a) through (k) should be consulted to determine whether a specific type of unit is exempt.
- (B) Small municipal waste combustion units constructed on or before August 30, 1999 (40 CFR Part 60 Subpart BBBB, Emission Guidelines and Compliance Times)  
As of the effective date of these revised Regulations and Standards there are currently no existing municipal waste combustions units located within Lincoln-Lancaster County that have the capacity to combust at least 35 tons per day but no more than 250 tons per day of municipal solid waste or refused derived fuel and were constructed on or before August 30, 1999.
- (C) Air curtain incinerators (as defined in Section 60.1465 of 40 CFR Part 60 Subpart AAAA) that burn 100 percent yard waste (as defined in Section 60.1440 of Subpart AAAA)  
These units shall comply with the requirements of 40 CFR Part 60 Subpart AAAA, Section 60.1445, 60.1450, and 60.1455. These requirements apply to air curtain incinerators that combust at least 35 tons per day of municipal solid waste and no more than 250 tons per day of municipal solid waste. As of the effective date of these Regulations and Standards there are no air curtain incinerators located within Lincoln-Lancaster County.  
  
Any air curtain incinerators that are installed in Lincoln-Lancaster County and that have a burn limit of less than 35 tons per day of 100 percent yard waste shall meet these limits: (1) The opacity limit is 15 percent (6 minute average) except at startup; and (2) The opacity limit is 40 percent (6 minute average) during the startup period that is within the first 30 minutes of operation. Monitoring, record keeping and reporting requirements shall be those established by the Department.
- (D) Large municipal waste combustors that are constructed on or before September 20, 1994 (40 CFR Part 60 Subpart Cb, Emission Guidelines and Compliance Times)  
As of the effective date of these revised Regulations and Standards there are currently no existing municipal waste combustion units located in Lincoln-Lancaster County with a combustion capacity greater than 250 tons per day of municipal solid waste and were constructed on or before September 20, 1994.
- (E) Hospital/medical/infectious waste incinerators constructed on or before June 20, 1996 (40 CFR Part 60 Subpart Ce, Emission Guidelines and Compliance Times)  
A hospital/medical/infectious waste incinerator or HMIWI unit means any device that combusts any amount of Type 5 waste. A combustor is not subject to this subpart if it qualifies under one of the exceptions listed in paragraphs (b) through (h) of Section 60.32e, Subpart Ce. As of the effective date of these Regulations and Standards there are currently no hospital/medical/infectious waste incinerators located in Lincoln-Lancaster County that were constructed on or before June 20, 1996 that are subject to this subpart.

- (F) Commercial and industrial solid waste incineration units for which construction commenced after November 30, 1999 or for which modification or reconstruction is commenced on or after June 1, 2001 (40 CFR Part 60 Subpart CCCC)  
A commercial and industrial solid waste incinerator is a combustion device as defined in Section 60.2265 of Subpart CCCC. A combustor is not subject to this subpart if it qualifies under one of the exceptions listed in paragraphs (a) through (o) of Section 60.2020, Subpart CCCC. As of the effective date of these Regulations and Standards there are currently no commercial and industrial solid waste incineration units located in Lincoln-Lancaster County that were constructed after November 30, 1999 or that have been modified or reconstructed on or after June 1, 2001 that are subject to this subpart.
- (G) Commercial and industrial solid waste incineration units that commenced construction on or before November 30, 1999 (40 CFR Part 60 Subpart DDDD, Emission Guidelines and Compliance Times)  
A commercial and industrial solid waste incinerator as defined in Section 60.2875 of Subpart DDDD and that is not exempt according to Section 60.2555 of Subpart DDDD is subject to the emission guidelines and compliance times of this subject if it was constructed on or before November 30, 1999. As of the effective date of these Regulations and Standards there are currently no commercial and industrial solid waste incineration units located in Lincoln-Lancaster County that were constructed on or before November 30, 1999 that are subject to this subpart.
- (H) Incinerators, as defined at 40 CFR Part 60, Subpart E, Section 60.51, charging more than 50 tons per day that were constructed or modified after August 17, 1971 (40 CFR Part 60 Subpart E)  
As of the effective date of these Regulations and Standards there are currently no incinerators located in Lincoln-Lancaster County that were constructed or modified after August 17, 1971 that are capable of charging more than 50 tons per day of solid waste.
- (I) Municipal waste combustors constructed after December 20, 1989 and on or before September 20, 1994 (40 CFR Part 60 Subpart Ea)  
This subpart applies to municipal waste combustion units with capacities greater than 250 tons per day of municipal solid waste that were constructed after December 20, 1989 and on or before September 20, 1994 or were modified or reconstructed after December 20, 1989 and on or before June 19, 1996 unless the combustor is excepted under one of the provisions, paragraphs (c) through (k), of Section 60.50a, Subpart Ea. As of the effective date of these Regulations and Standards there are currently no municipal solid waste combustors located in Lincoln-Lancaster County that are subject to this subpart.
- (J) Large municipal waste combustors constructed after September 20, 1994 or modified or reconstructed after June 19, 1996 (40 CFR Part 60, Subpart Eb)  
This subpart applies to large municipal waste combustion units with capacities greater than 250 tons per day of municipal solid waste which are constructed, modified or reconstructed after the dates indicated herein unless the combustor is excepted under one of the provisions, paragraphs (b), (d), (e), (f), (g), (h), (i), (j), (m), and (p), of Section 60.50b, Subpart Eb. As of the effective date of these Regulations and Standards there are currently no large municipal solid waste combustors located in Lincoln-Lancaster County that are subject to this subpart.
- (K) Hospital/medical/infectious waste incinerators constructed after June 20, 1996 or modified after March 16, 1998 (40 CFR Part 60 Subpart Ec)  
A hospital/medical/infectious waste incinerator or HMIWI unit means any device that combusts any amount of Type 5 waste. A combustor is not subject to this subpart if it qualifies for an exemption under one of the provisions listed in paragraphs (b) through (h) of Section 60.50c, Subpart Ec. As of the effective date of these Regulations and Standards there are currently no hospital/medical/infectious waste incinerators located in Lincoln-Lancaster County that are subject to this subpart.

(L) Hazardous waste combustors

A hazardous waste combustor means a hazardous waste incinerator, hazardous waste burning cement kiln, or hazardous waste burning lightweight aggregate kiln. Hazardous waste is defined in 40 CFR Part 261 Subpart A, Section 261.3. A source planning to construct a hazardous waste incinerator in Lincoln-Lancaster County shall contact both the Department and the Nebraska Department of Environmental Quality to determine all of the requirements that are applicable to a facility of this nature and to be advised as to which agency is responsible for specific requirements. A significant number of requirements that are applicable to hazardous waste incinerators are not part of the air quality Regulations and Standards administered by the Lincoln-Lancaster County Health Department.

(M) Other incineration units

Incineration units that are not subject to the requirements in paragraphs (A) through (L) of this section shall comply with the following requirements:

- (1) No person shall cause or permit emissions of particulate matter from any incinerator to be discharged into the outdoor atmosphere to exceed 0.10 grains per dry standard cubic foot (gr/dscf) of exhaust gas, corrected to 12% carbon dioxide. The exhaust gases contributed by the burning of a liquid or gaseous fuel shall be excluded.
- (2) The burning capacity of an incinerator shall be the manufacturer's or designer's guaranteed maximum rate or such other rate as may be determined by the Director in accordance with good engineering practice.
- (3) Waste burned during performing testing required by paragraph (4) below shall be representative of the waste normally burned by the affected facility and shall be charged at a rate equal to the burning capacity of the incinerator. Copies of additional operational data recorded during the test shall be submitted to the Department together with the completed test report forms.
- (4) Instructions for proper operation of each incinerator shall be posted on site and written certification that each operator has read these instructions, understands them and intends to comply, shall be kept on record by the owner.
- (5) Each incinerator shall meet the design criteria as set forth in the definition of incinerator at Article 2, Section 1 of these Regulations and Standards and shall meet the additional requirement that the products of combustion be vented through an adequate stack, duct, or chimney.
- (6) Chemotherapeutic and low level radioactive wastes (as defined at 40 CFR Part 60 Subpart Ec, Section 60.51c) shall not be incinerated.

Typically, other incineration units include those that incinerate Type 4 (pathological) waste, crematories for humans and animals and those that incinerate a variety of a wastes including municipal solid waste.

Ref: Title 129, Chapter 22, Nebraska Department of Environmental Quality